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#121  
326.02

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

OLIFF & BERRIDGE, PLC  
P.O. Box 19928  
Alexandria, Virginia 22320  
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Attorney Docket No.: 104161

Date: March 20, 2002

Examiner: L. Cross

Art Unit: 1743

Customer Number: 25944

**BOX CPA**

Director of the U.S. Patent  
and Trademark Office  
Washington, D.C. 20231  
Sir:

**CONTINUED PROSECUTION APPLICATION TRANSMITTAL  
RULE 1.53(d)**

Transmitted herewith under 37 C.F.R. §1.53(d) is a request for filing a

☒ Continuation

☐ Divisional

continued prosecution application of prior pending Application No. 09/389,082, filed September 2, 1999,

For (Title): IMPROVEMENTS RELATING TO ASSAY DEVICES

(Amended Title): \_\_\_\_\_

By (Inventors): Stephen Peter FITZGERALD; Robert Ivan McCONNELL; and John Victor LAMONT

1. ☒ Abandon said prior application as of the filing date accorded this application.
2. ☒ The filing fee is calculated below:

CLAIMS REMAINING IN THE APPLICATION AFTER  
ENTRY OF ANY PRELIMINARY AMENDMENT OR  
AMENDMENT UNDER 37 C.F.R. §1.116 NOTED BELOW

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	18 - 20	= * 0
INDEP CLAIMS	2 - 3	= * 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

\* If the difference is less than zero, enter "0".

**SMALL ENTITY**

RATE	FEE
	\$ 370
x 9 =	\$
x 42 =	\$
+ 140 =	\$
TOTAL	\$

OR

OR

OR

OR

OR

OR

**OTHER THAN A  
SMALL ENTITY**

RATE	FEE
	\$ 740
x 18	\$ ----
x 84	\$ ----
+ 280	\$ ----
TOTAL	\$ 740

3. ☒ Check No. 128951 in the amount of \$740.00 to cover the filing fee is attached. The Director is hereby authorized to charge any other fees that may be required to complete this filing, or to credit any overpayment, to Deposit Account No. 15-0461. Two duplicate copies of this sheet are attached.

**DEPOSIT ACCOUNT USE**

**AUTHORIZATION**

Please grant any extension  
necessary for entry;

Charge any fee due to our  
Deposit Account No. 15-0461

03/21/2002 CNGUYEN 00000046 09389082

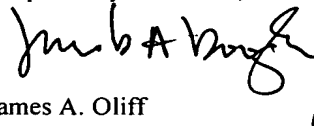
02 FC:131

740.00 DP

4. ☐ Cancel in this application claims \_\_\_\_\_ of the prior application before calculating the filing fee. At least one independent claim is retained for filing purposes.
5. ☒ Please enter in the present application the Amendment Under 37 CFR §1.116 with any attachments filed on January 25, 2002, in said prior application, which was not entered therein.
6. ☐ Please suspend action on this CPA application for three months under 37 C.F.R. §1.103(b). Check no. \_\_\_\_\_ in the amount of \$130.00 to cover the suspension fee is attached.
7. ☐ This application is filed by fewer than all the inventors named in the prior application (37 C.F.R. §1.53(d)(4)). Delete the following inventor(s) named in the prior application:  
\_\_\_\_\_  
\_\_\_\_\_
8. ☐ A Preliminary Amendment is enclosed. Claims added by this Amendment are properly numbered consecutively beginning with the number next following the highest numbered claim in the prior application.
9. ☐ An Information Disclosure Statement is attached.
10. ☐ Small entity status:  
☐ a. Entitlement to small entity status is hereby asserted.  
☐ b. Small entity status is no longer claimed.
11. ☐ Other: \_\_\_\_\_
12. ☐ This application is NOT to be published under 35 U.S.C. 112(b). The undersigned attorney or agent hereby certifies that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.
13. ☒ The power of attorney in the prior application is to James A. Oliff, Registration No. 27,075, William P. Berridge, Registration No. 30,024, Kirk M. Hudson, Registration No. 27,562, Thomas J. Pardini, Registration No. 30,411, Edward P. Walker, Registration No. 31,450, Robert A. Miller, Registration No. 32,771, Mario A. Costantino, Registration No. 33,565, Stephen J. Roe, Registration No. 34,463, Joel S. Armstrong, Registration No. 36,430, Christopher W. Brown, Registration No. 38,025, Richard E. Rice, Registration No. 31,560, and/or Paul Tsou, Registration No. 37,956.
14. ☒ Address all future communications to:

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Respectfully submitted,

  
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